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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christine L. Brakel et al.

Serial No. 08/479,999

Filed: June 28, 1994

Title: MODIFIED NUCLEOTIDE COMPOUNDS

(As Previously Amended)

Group Art Unit: 1631

Ex'r: Ardin H. Marschel, Ph.D.

527 Madison Avenue, 9th Floor
New York, New York 10022
December 26, 2001

FILED BY EXPRESS MAIL

Commissioner of Patents and Trademarks*
Washington, D.C. 20231 Box DAC

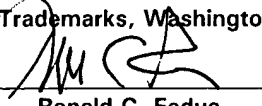
Attention: Office of Deputy Assistant Commissioner for Patents
2121 Crystal Drive -- Crystal Park 2 - Suite 913
Arlington, Virginia 22202

PETITION UNDER 37 C.F.R. §1.137(b) TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which taking

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EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	<u>EL491424303US</u>
Deposit Date	<u>December 26, 2001</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 Ronald C. Fedus Reg. No. 32,567	<u>DEC 26 2001</u> Date

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OFFICE OF PETITIONS

* In accordance with the November 16, 2001 Notification Related to United States Postal Service Interruption, this paper and all attachments are being sent by Express Mail to: U.S. Patent and Trademark Office, P. O. Box 2327, Arlington, VA 22202. See *Suspension of the "Express Mail" Service of United States Postal Service for mail addressed to ZIP Codes 202xx through 205xx.*

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action was unintentionally delayed. A response to the September 26, 2000 Office Action issued in this application was originally due on December 26, 2000. Upon the expected granting of this Petition, this application will be revive and the accompanying response in the form of an Amendment Under 37 C.F.R. §1.116 will be considered as having been timely filed.

The above-identified application became unintentionally abandoned after December 26, 2000, which was the date that a response to the September 26, 2000 Office Action was originally due. A Notice of Abandonment was subsequently mailed on July 16, 2001. A copy of the July 16, 2001 Notice of Abandonment is attached to this Petition as Exhibit 1. A Terminal Disclaimer To Accompany Petition is also attached to this paper as Exhibit 2.

It is hereby requested that this application be revived because the entire delay in filing the response to the September 26, 2000 Office Action until the filing of this Petition was unintentional. As indicated above, a response to the September 26, 2000 Office Action in the form of an Amendment Under 37 C.F.R. §1.116 is being submitted concurrently herewith and is attached as Exhibit 3. A Notice of Appeal is also attached to this paper as Exhibit 4.

The fee for filing a Petition to Revive an Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b) is \$1,280.00 for a large entity. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite large entity fee of \$1,280.00. The Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition and the attached Amendment, or to credit any overpayment thereto.

A duplicate copy of this Petition but without attached Exhibits 1-4 is also submitted herewith.

Christine L. Brakel et al.

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Abandoned Application - December 26, 2001)

Favorable action on this Petition is earnestly solicited.

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

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